

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO. 24-80056-RLR

v.

CHRISTOPHER SCHWEIKART
Defendant.

**UNOPPOSED MOTION TO CONTINUE DOCKET CALL, STATUS CHECK AND
TRIAL**

COMES NOW the Defendant, Christopher Schweikart, by and through his undersigned counsel, Edward D Reagan, Esquire and moves this court to enter and Order continuing the Docket Call, Status Check and Trial in the above case. In support of said Motion, the Defendant would state:

- 1) On March 18, 2024, the Defendant was charged by Complaint with First-degree murder within special maritime or territorial jurisdiction of the United States pursuant to §18 U.S.C. 1111.
- 2) Counsel for the Defendant stipulated to Pretrial Detention and an Order was entered reflecting the same. (See DE #13).
- 3) An Indictment was returned on April 25, 2024 charging the Defendant with willfully, deliberately, maliciously and with premeditation and malice aforethought, did unlawfully kill J.R.A. Jr., in violation of Title 18 U.S.C. §1111(a) and 7. (DE #25).
- 4) The Arraignment was held on April 26, 2024 at which time the Government stated that at this time they were not seeking the death penalty. However, should the Government's position change in regards to seeking the death penalty a superseding would be filed. A plea of not guilty was entered with a demand for trial by

jury and entry of the standing discovery order. (DE#26).

5) In the paperless Minute Order for the proceedings held before Magistrate Judge William Matthewman, it reflects that **“Defense also requests additional time to file appropriate motions due to the potential mental health issues and the necessity of mental health investigation. Defendant’s counsel stated that Defendant waived his speedy trial rights for such a period. The Court Granted Defendant's request and will allow a period of sixty(60) days to file any motions. Further, requests for extensions will be made to U.S. District Judge Robin Rosenberg. The Court finds that speedy trial period shall be tolled in the interest of justice for this sixty (60) day period to allow the Defendant to fully investigate any mental health issues and file any appropriate motions. Upon ore tenus motion of the Defendant, the Court also requested that the United States Marshals transfer the Defendant to FDC-Miami so that any mental health issues of the Defendant can be appropriately addressed.”**

(DE#26).

6) After the Court requested the US Marshals transport the Defendant to Miami- FDC to address his mental health issues, counsel spoke with the US Marshals in court and was advised that as long as there is not an immediate court date in the near future, they would transport the Defendant to FDC. However, if a court date is upcoming in the near future, he would remain in the Palm Beach County Jail.

7) Undersigned counsel requests that this Court enter an Order continuing the upcoming Docket call and Status check on May 15, 2024, and the Trial date set for May 20, 2024, for a period of ninety (90) days so the appropriate mental health evaluations can be conducted as well as a course of treatment be implemented to counter his mental health condition.

8) As long as these court dates remain set and on the Courts calendar, it is highly unlikely that the US Marshals will transport the Defendant until after May 15,

2024.

9) Because of undersigned counsel's concern that the Defendant's mental health needs are not presently being met with the Palm Beach County Jail coupled with the risk for his mental health to further deteriorate until his next court date, counsel makes this "good faith" request for this Motion.

10) Prior to the date of the homicide (March 16, 2024), which occurred in the Mental Health Unit of the VA Hospital in West Palm Beach, the Defendant sought mental health intervention with the VA and was admitted to the Mental Health Unit on March 15, 2024.

11) The Defendant is an Honorably discharged Captain with the United States Army where he served in an aviation unit as a Chinook helicopter pilot having served in Afghanistan. Since leaving the Army, he has been employed with Nextera in the solar industry division of the company.

12) Pursuant to local rules 88.5, undersigned counsel has conferred with Assistant United States Attorney, Marton Gyires who is not opposed and is in agreement with the granting of this Motion.

13) Further, parties are requesting a ninety (90) day continuance with a trial date for the end of August 2024. The Defendant also understands that any extension of time pursuant to the request will be deemed excludable time for the purposes of any speedy trial calculation under 18 U.S.C. 3161.

WHEREFORE, the Defendant respectfully requests that this Court enter an Order Continuing Trial set for May 20, 2024 for a period of ninety (90) days and set trial during the later part of August 2024 for the reasons noted above.

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I HEREBY CERTIFY that on the 30th day of APRIL 2024, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic filing.

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